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ASMEX.333A

CUSTOMER NO.: 20995

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

Applicant : Todd et al.
 Appl. No. : 10/074,564
 Filed : February 11, 2002
 For : THIN FILMS AND METHODS
 OF MAKING THEM
 Examiner : Brook Kebede
 Group Art Unit : 2823

CERTIFICATE OF FAX TRANSMISSION
PTO CENTRALIZED FAX

I hereby certify that this correspondence and all
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 (703) 872-9306 on the date shown below:

March 22, 2005
(Date)*Joseph J. Mallon*

Joseph J. Mallon, Reg. No. 39,287

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Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Empowerment of Attorney

Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on behalf of the Assignee, ASM America, Inc. ("Assignee"), by virtue of a Power of Attorney executed on June 13, 2002, a copy of which is attached.

Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned, U.S. Patent No. 6,821,825. The chain of title of the present application from the inventors to the Assignee is set forth in the Power of Attorney referred to above. The assignment of U.S. Patent No. 6,821,825 is recorded at Reel No. 012908, Frame No. 0604 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

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-1-

PAGE 16/22 *RCVD AT 3/22/2005 6:22:12 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-11* DSN:3729306* CSID:16192350176* DURATION (mm:ss):06:28

Appl. No. : 10/074,564
Filed : February 11, 2002

distinguish those claims from Yamazaki and Toraguchi. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

Applicants respectfully submit that this application is in condition for allowance, early notification of which would be appreciated. The Office is respectfully invited to contact the undersigned at the telephone number provided below with any questions regarding this application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/22/05

By: Joseph J. Mallon
Joseph J. Mallon
Registration No. 39,287
Attorney of Record
Customer No. 20,995
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1432016_1:032105

PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

10/074564

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS			
FOR		NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS		minus 20 =	*
INDEPENDENT CLAIMS		minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT			<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

3/22/05 CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total	* 65	Minus	** 74	=
Independent	* 14	Minus	** 14	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				<input type="checkbox"/>

SMALL ENTITY
TYPE OTHER THAN
OR SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE	150.00	OR BASIC FEE	300.00
X\$ 25=		OR X\$50=	
X100=		OR X200=	
+180=		OR +360=	
TOTAL		OR TOTAL	

OTHER THAN
SMALL ENTITY OR SMALL ENTITY

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 25=		OR X\$50=	
X100=		OR X200=	
+180=		OR +360=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total	* 65	Minus	** 74	=
Independent	* 14	Minus	** 14	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				<input type="checkbox"/>

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 25=		OR X\$50=	
X100=		OR X200=	
+180=		OR +360=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total	* 65	Minus	** 74	=
Independent	* 14	Minus	** 14	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				<input type="checkbox"/>

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 25=		OR X\$50=	
X100=		OR X200=	
+180=		OR +360=	

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